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NAVY REGION MID-ATLANTIC
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NORFOLK, VA 23511-2737

IN REPLY REFER TO:
5090
EV21/08/RE488
AUG 8 2016

Ms. Bettina Sullivan
Office of Environmental Impact Review
Department of Environmental Quality
Post Office Box 1105
Richmond, VA 23218

Dear Ms. Sullivan:

SUBJECT: FEDERAL COASTAL CONSISTENCY DETERMINATION FOR THE HOME
BASING OF MQ-4C TRITON UNMANNED AIRCRAFT SYSTEM, NATIONAL
AERONAUTICS AND SPACE ADMINISTRATION, WALLOPS FLIGHT
FACILITY, VIRGINIA

The Navy proposes to operate and maintain MQ-4C Triton Unmanned Aircraft System (Triton UAS) on the East Coast. To fulfill the proposed action, the Navy identified three alternatives: Alternative 1 at Naval Air Station Key West and Alternative 2 at Naval Station Mayport in Florida, and Alternative 3 at NASA's Wallops Flight Facility (WFF) in Virginia.

The enclosed Federal Coastal Consistency Determination (CCD) and associated figures are being submitted in accordance with Section 307 (c) (1) of the Federal Coastal Zone Management Act of 1972 as amended for Alternative 3 of the proposed action.

The Department of the Navy and NASA (cooperating agency) have determined that the proposed federal agency action is reasonably likely to affect a land use, water use, or natural resource of the Commonwealth of Virginia's coastal zone. However, the Navy will conduct the proposed activity in a manner that will be fully consistent with the applicable enforceable policies of the Virginia Coastal Zone Management Program. The Navy has initiated consultation with the Virginia State Historic Preservation Officer (SHPO) to resolve any potential effects on historic properties associated with this project.

Our point of contact is Ms. Justine Woodward who may be reached at (757) 341-0496 or E-Mail at Justine.Woodward@navy.mil.

Sincerely,

MICHAEL H. JONES
Director, Environmental Planning
and Conservation
By direction of the Commander

Enclosure: 1. Coastal Consistency Determination (CCD) and Associated Figures

FEDERAL COASTAL CONSISTENCY DETERMINATION

HOME BASING OF MQ-4C TRITON UNMANNED AIRCRAFT SYSTEM NASA WALLOPS FLIGHT FACILITY, VIRGINIA

Proposed Federal Agency Action

Introduction

This document provides the Commonwealth of Virginia with the U.S. Department of the Navy's (Navy) and the National Aeronautics and Space Administration's (NASA) Consistency Determination under Coastal Zone Management Act Section 307(c)(1) of the federal Coastal Zone Management Act (CZMA) of 1972, as amended, and 15 Code of Federal Regulations part 930, Subpart C, for the Navy's proposal to operate and maintain MQ-4C Triton Unmanned Aircraft System (Triton UAS) on the East Coast. To fulfill the Proposed Action, the Navy identified three alternatives: Alternative 1 at Naval Air Station Key West and Alternative 2 at Naval Station Mayport in Florida, and Alternative 3 at NASA's Wallops Flight Facility (WFF) in Virginia. This document addresses solely Alternative 3 at WFF, which is located in Accomack County, Virginia (herein referred to as the "Proposed Action").

After careful consideration, the Navy and NASA have determined that the Proposed Action would be undertaken in a manner fully consistent with the applicable enforceable policies of the Virginia Coastal Zone Management (CZM) Program.

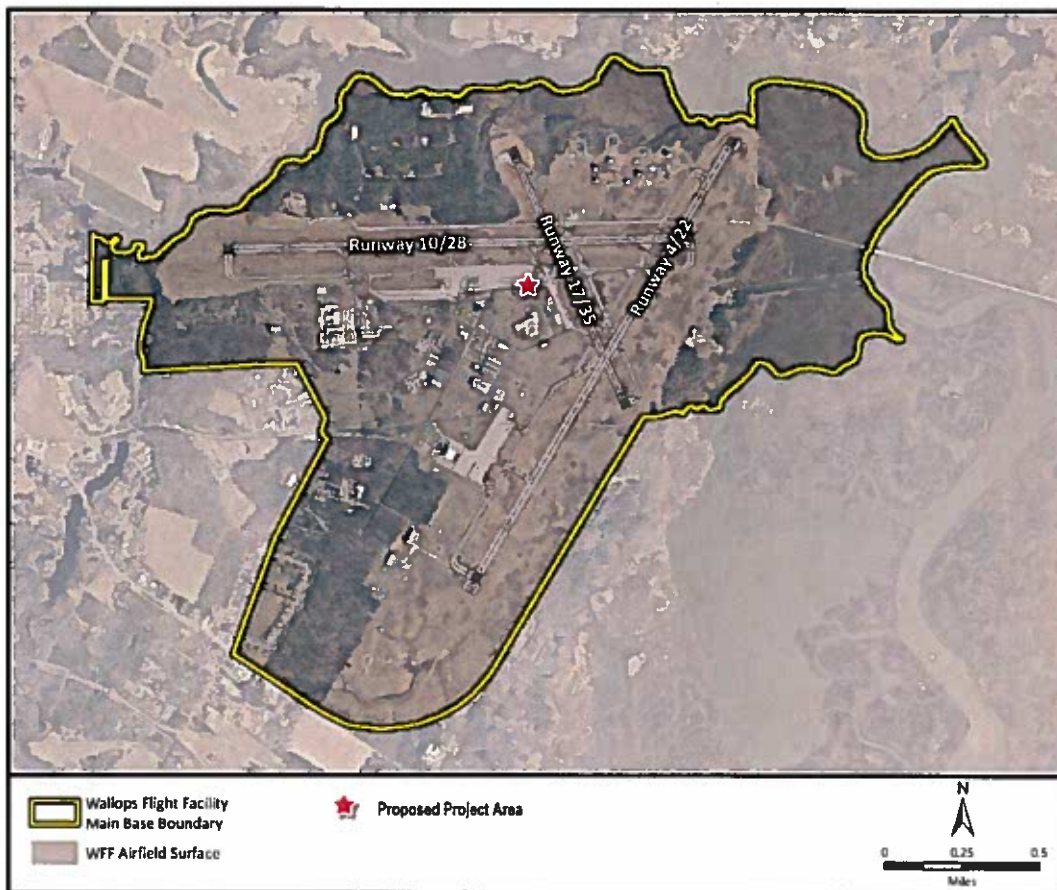
Description of the Proposed Federal Agency Action

The Navy and NASA propose to home base four Triton UAS aircraft and support a maintenance hub for up to four additional Triton UAS. An average of five Triton UAS flight operations (take-offs or landings) per day (1,825 annually) would occur. Demolition and construction activities to support the home basing are currently scheduled to begin in 2017, Triton UAS assets are scheduled to begin arriving in 2019, and steady state operations would be achieved in the 2023 timeframe. In total, up to 400 personnel and approximately 500 family members are associated with the Proposed Action. Personnel and their family members would gradually relocate to the surrounding area in phases, from 2019 to 2023.

Project Location

The WFF is a NASA Goddard Space Flight Center field installation located in Accomack County on the eastern shore of Virginia. The facility consists of three distinct landmasses—the Main Base, Wallops Mainland, and Wallops Island—totaling nearly 6,500 acres. Aircraft operations occur at the airfield, which is located on the Main Base (Figure 1).

Under the Proposed Action, approximately 10 acres in the industrialized area of the WFF airfield would be developed to support the home basing action: 5 acres of paved areas and 5 acres of maintained vegetation (turf grass) (Figure 2).



**Figure 1 - Alternative 3: Wallops Flight Facility,
Proposed Activity Location within the Main Base/Airfield**

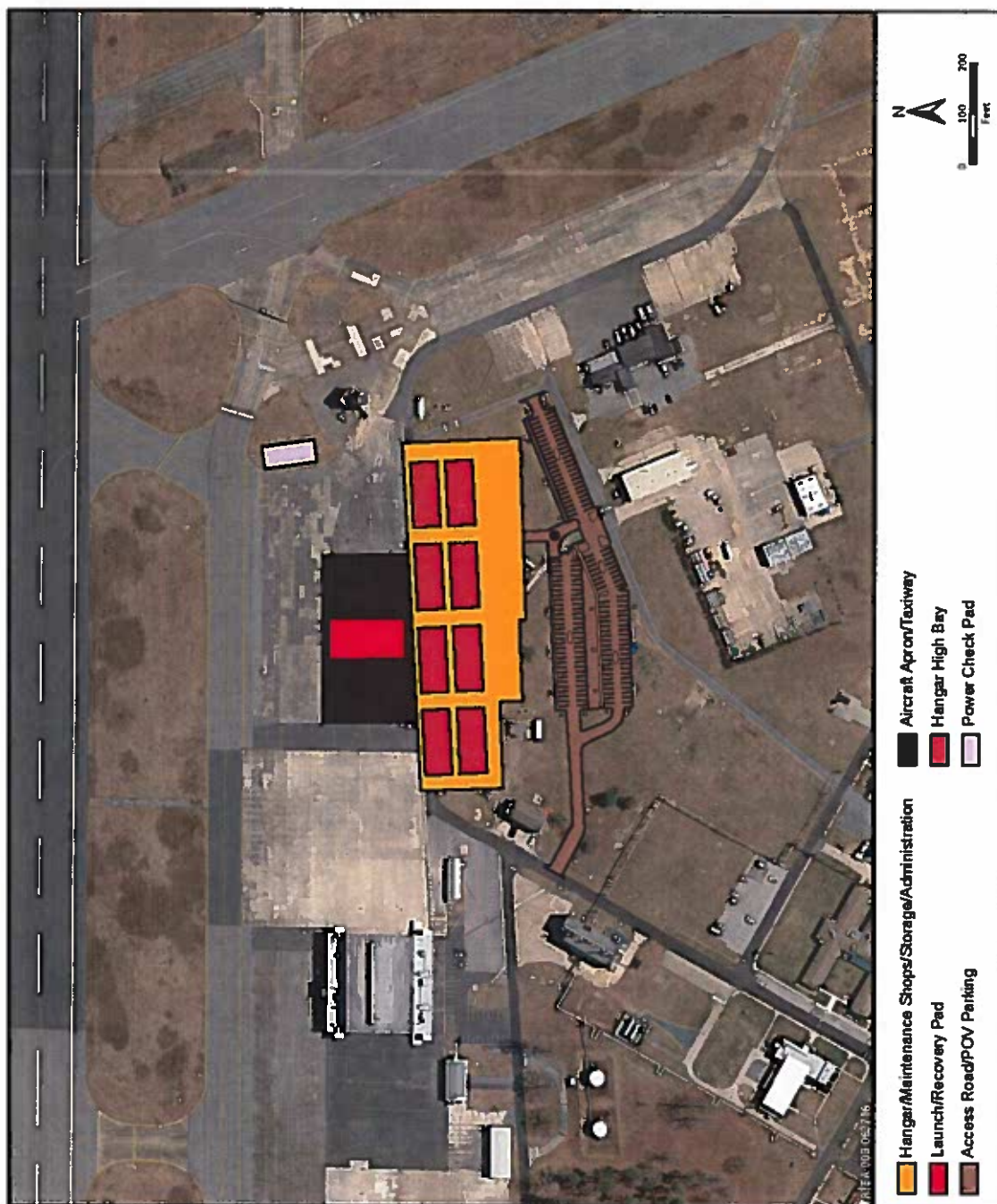


Figure 2 - Wallops Flight Facility: Proposed Construction and Infrastructure Improvements

Several project components were identified to support the home basing of the Triton UAS at WFF (Table 1).

Table 1 Wallops Flight Facility Proposed Project Components for the Triton Unmanned Aircraft System Home Basing

Description	Project Size	Project Detail
Hangar/Maintenance Shops/Storage/ Administration	150,000 square feet	Operations facilities with capacity to accommodate and maintain eight Triton UAS aircraft, storage, and administrative activities
Aircraft parking apron, personally-owned vehicle (POV) parking lot, and access roads	5 acres	Parking for up to eight Triton UAS aircraft, access roads, and parking lot for aircraft maintainers and operators

The Draft EA (separately available on August 23 via the United States Fleet Forces website: <http://www.public.navy.mil/usff/environmental/Pages/NEPAprojects.aspx> and certain local area libraries (i.e., Wallops Island, VA; Chincoteague Island, VA; Pocomoke, MD; and Accomack, VA) provides a detailed description of the Proposed Action. A complete description of all coastal resources and potential effects on them is included in Chapters 8 and 9 of the Draft EA, which is incorporated by reference herein.

Background

The Coastal Zone Management Act of 1972 (CZMA), codified in 16 U.S. Code section 1451 *et seq.*, and administered by the Secretary of Commerce through the Office of Coastal Resources Management of the National Oceanic and Atmospheric Administration, established a comprehensive regulatory scheme for effective management, beneficial use, protection, and development of the coastal zone and its natural resources. CZMA encourages coastal states and provides a mechanism for them to develop, obtain federal approval for, and implement a broad-based coastal management program (CMP).

Federal approval of a state CMP triggers an obligation upon federal agencies under CZMA section 307 to make coastal consistency determinations for their activities. Section 307 applies to federal agency activity in a state's coastal zone and also to federal agency activity outside the coastal zone, if the activity affects a land or water use in or natural resources of the coastal zone. Federal agency activity includes activity performed by a federal agency, approved by a federal agency, or for which a federal agency provides financial assistance. Such activity, whether direct, indirect, or cumulative, must be demonstrated to be consistent with the enforceable

policies of the state's CMP, unless full consistency is otherwise prohibited by federal law. There are no categorical exemptions to or exclusions from section 307.

The Navy and NASA have determined that the proposed federal agency action is reasonably likely to affect a land use, water use, or natural resource of the Commonwealth of Virginia's coastal zone. Therefore, the Navy and NASA have prepared this consistency determination rather than a no effect determination. However, as discussed herein, the Navy will conduct the proposed activity in a manner that will be fully consistent with the applicable enforceable policies of the Virginia Coastal Zone Management Program.

The nine enforceable policies of Virginia's federally-approved CZM Program are: (1) fisheries management; (2) subaqueous lands management; (3) wetlands management; (4) primary coastal sand dunes management; (5) point source pollution control; (6) non-point source pollution control; (7) shoreline sanitation; (8) air pollution control; and (9) coastal lands management.

This Coastal Consistency Determination is submitted under CZMA and its implementing regulations, and Chief of Naval Operations Instruction M-5090.1, "Environmental Readiness Program Manual."

Analysis of Enforceable Policies

1. Fisheries Management

Pursuant to Code of Virginia §28.2-200 through 713 and §29.1-100 through 570, the Virginia Marine Resources Commission (VMRC) and the Virginia Department of Game and Inland Fisheries (VDGIF) regulates finfish and shellfish resources through the management of commercial and recreational fisheries. Pursuant to Code of Virginia §3.1-249.59 through 249.62, VMRC, in cooperation with the VDGIF and the Virginia Department of Agriculture and Consumer Services (VDACS), monitors boating activities to mitigate threats to marine animal species from the introduction of tributyltin, a component found in certain types of boat paint.

Consistency Analysis

Given the inland location, the Proposed Action would have no direct impacts on commercial or recreational fisheries. Indirect impacts on fisheries could result from sedimentation during construction and from increased stormwater runoff and sedimentation during operation. Short- and long-term impacts on water quality as a result of sedimentation and increased stormwater runoff would be avoided or mitigated through best management practices (BMPs). Construction BMPs to reduce soil erosion and runoff (e.g., silt fences) and minimize pollution of stormwater

(e.g., spill plans) would be adhered to and incorporated into final planning and construction. The Proposed Action would not violate the provisions outlined in Code of Virginia sections §28.2-200 through 28.2-713 and Code of Virginia sections §29.1-100 through 29.1-570.

The Proposed Action would be fully consistent with this policy.

2. Subaqueous Lands Management

Pursuant to Code of Virginia §28.2-1200 through 1211, the VMRC administers a permit program for the use of State-owned subaqueous lands. The management program for subaqueous lands establishes conditions for granting or denying permits for the use of state-owned bottomlands based on considerations of potential effects on marine and fisheries resources, wetlands, adjacent or nearby properties, anticipated public and private benefits, and water quality standards established by the VDEQ Water Division.

Consistency Analysis

The Proposed Action would occur entirely in areas of WFF that are not subject to VMRC jurisdiction and the Proposed Action would not require a VMRC permit. No oyster beds would be impacted and no dredging or fill activities are proposed.

The Proposed Action would have no effect on subaqueous lands management so it is fully consistent.

3. Wetlands Management

Pursuant to Code of Virginia §28.2-1301 through 1320, the VMRC administers a program for the protection of tidal wetlands. Pursuant to Code of Virginia §62.1-44.15.5 and the Clean Water Act (CWA) (33 U.S.C. §1251 et seq.), the VDEQ administers a water protection permit program to include tidal and non-tidal wetlands. The U.S. Army Corps of Engineers (USACE) has permitting jurisdiction over Waters of the U.S. under section 404 of the CWA. Executive Order (EO) 11900 requires that new construction in wetlands be avoided to the greatest extent possible and that all practicable measures be taken to minimize impacts on wetlands.

Consistency Analysis

No wetlands would be removed or impacted under the Proposed Action. Indirect impacts on wetlands, in the form of water quality impacts resulting from increased stormwater runoff or sedimentation, could occur but would be minimized. Impacts of potential site grading would be minimal because the site is relatively flat, which would minimize the potential for indirect

impacts on wetlands. The nearest wetlands to the project site are over 0.5 miles distant, and any overland flow would occur across vegetated areas, increasing the likelihood of capturing sediment and runoff prior to reaching wetlands. The construction of the Proposed Action would be subject to the provisions of a Construction General Permit administered as part of the Virginia Stormwater Management Program and would be carried out consistent with the applicable construction site standards established by the Virginia Erosion and Sedimentation Control Program.

The Proposed Action would be fully consistent with this policy.

4. Coastal Primary Dunes Management

Pursuant to Code of Virginia §28.2-1400 through 1420, the VMRC administers a program to prevent the destruction or alteration of coastal primary dunes.

Consistency Analysis

Because the WFF Main Base is located inland, coastal primary sand dunes do not occur at the project site under consideration.

The proposed construction and flight operations activities would have no effect on Virginia coastal primary sand dunes.

5. Point Source Pollution Control

Pursuant to Code of Virginia §62.1-44.15 and the CWA (33 U.S.C. §1251 et seq.), the VDEQ regulates discharges to state waters through the Virginia Pollution Discharge Elimination System (VPDES) and Virginia Pollution Abatement Permit programs.

Consistency Analysis

The Proposed Action would not significantly change the stormwater rate and volume of runoff with 5 acres of new impervious surfaces introduced. Best management practices would continue to be used to control existing erosion and stormwater runoff. Any applicable permitting requirements would be satisfied in accordance with Virginia and National Pollutant Discharge Elimination Systems requirements.

The Proposed Action would be fully consistent with this policy.

6. Non-Point Source Pollution Control

Pursuant to Code of Virginia §62.1-44.15:24 et seq. and §62.1-44.15:51 et seq., the VDEQ administers a program for the control of soil sedimentation and erosion into surface waters and for reducing chemical inputs conveyed to water bodies by these processes.

Consistency Analysis

Approximately 5 acres of impervious surfaces would be added to WFF. Localized increases in stormwater runoff could potentially increase non-point source runoff to the Atlantic Ocean. Practices to reduce soil erosion and runoff (e.g., silt fences) and minimize pollution of stormwater (e.g., spill plans) would be adhered to and incorporated into final planning and construction. The Navy, in cooperation with NASA, would implement appropriate best management practices to avoid this impact.

Prior to implementation of the Proposed Action, the Navy and NASA would obtain permit coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities from VDEQ for the proposed construction activities. The Navy and NASA would select, install, and maintain effective erosion- and sediment-control measures as identified and as necessary to comply with the Construction General Permit.

The construction of the Proposed Action would be subject to the provisions of a Construction General Permit administered as part of the Virginia Stormwater Management Program and would be carried out consistent with the applicable construction site standards established by the Virginia Erosion and Sedimentation Control Program. Prior to implementation of the Proposed Action, the general contractor would prepare a site-specific Storm Water Pollution Prevention Plan (SWPPP) and ensure compliance with its provisions during and after the construction phase. The Navy would oversee implementation of the Proposed Action to ensure it is consistent with its Low Impact Development (LID) Policy for Storm Water Management (November 16, 2007). This policy addresses construction site stormwater runoff by implementing BMPs to mitigate erosion and sedimentation from land disturbance (e.g., installation of hay bales and silt fences, maintaining 50-foot riparian buffers along jurisdictional waters/linear wetlands [to the maximum extent practicable], maintaining existing 50-foot vegetated buffers adjacent to other wetlands, and phasing of construction-related activities to minimize soil exposure) to reduce erosion and sedimentation from land disturbance.

Potential spills of fuels or other chemicals and hazardous materials could occur during construction and operation of the home base site. Necessary precautions to avoid any contamination of water bodies on station but outside of the project site that might result from

spills during construction or fluid leaks during operations would follow appropriate response procedures identified in a Spill Prevention, Control, and Countermeasures (SPCC) plan and WFF's Integrated Contingency Plan (ICP).

The Proposed Action would be fully consistent with this policy.

7. Shoreline Sanitation

Pursuant to Code of Virginia §32.1-164 through 165, the Virginia Department of Health regulates the storage, treatment, disposal, or reclamation of sewage or combined sewage and industrial wastes, including septic tanks and alternative discharge sewage systems.

Consistency Analysis

The Proposed Action would not involve the installation of septic tanks. The Proposed Action would utilize the NASA-owned and operated, state-of-the-art 300,000-gallon-per-day federally owned treatment works (FOTW). The FOTW currently treats flows of approximately 60,000 gallons per day. Treated wastewater from the FOTW is discharged via a single outfall to an unnamed freshwater tributary to Little Mosquito Creek under VPDES permit VA0024457 issued by the VDEQ. The permit expires on September 30, 2019. The WFF Environmental Office tests the wastewater discharge on a daily basis to ensure discharges do not exceed permitted limits.

Furthermore, the Proposed Action would incorporate pollution prevention, energy, and water conservation and water quality initiatives into all facilities and activities where practicable. The objectives of the initiatives would be to improve waste reduction and management practices; energy efficiency and energy conservation practices; water resource conservation and management; and recycling and reuse practices. When applicable, waste generated during construction would be recycled according to the type of material.

The Proposed Action would be fully consistent with this policy.

8. Air Pollution Control

Pursuant to Code of Virginia §10-1.1300 and the Clean Air Act (CAA) (42 U.S.C. §7401 et seq.), the VDEQ implements a legally enforceable State Implementation Plan for the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS). The State Air Pollution Control Board administers this program.

Consistency Analysis

Construction projects and operational missions under the Proposed Action would contribute to the annual air emissions inventory. The emissions generated under the Proposed Action would not violate federal or Virginia air quality standards.

The Proposed Action would generate no new point sources of air pollution. Temporary and minor increases in air emissions from the combustion of fossil fuels by motorized equipment, operation of aircraft and ground vehicles, and from emissions of fugitive dust and dirt during site ground disturbance, would be reduced through the implementation of BMPs. Only minimal amounts of vegetation (turf grass) would be removed, and thus carbon sequestration and loss of annual carbon dioxide (CO₂) uptake from any “carbon sink” would be negligible. Construction emissions and annual operations emissions, including aircraft, ground vehicle and equipment emissions, would not exceed *de minimis* levels under the CAA General Conformity Rule (GCR), and no significant impact on regional air quality would result.

The Proposed Action would be fully consistent with this policy.

9. Coastal Lands Management

Administered by the Chesapeake Bay Local Assistance Department, the Chesapeake Bay Preservation Act guides land development in coastal areas to protect the Chesapeake Bay and its tributaries. Coastal lands management is conducted by state and local cooperative programs administered by VDEQ’s Water Division established pursuant to the Chesapeake Bay Preservation Act (Virginia Code 62.1-44.15:67 through 62.1-44.15:79) and Chesapeake Bay Preservation Area Designation and Management Regulations. The Chesapeake Bay Designation Act and Management Regulations require localities in Tidewater Virginia to establish local protection ordinances designating Chesapeake Bay Resource Protection Areas (RPAs) or Resource Management Areas (RMAs). In Accomack County, the Chesapeake/Atlantic Preservation Area (CAPA) applies to all of Accomack County, except for incorporated towns and Federal lands. Areas shown on the CAPA map are subject to the requirements of the CAPA Ordinance.

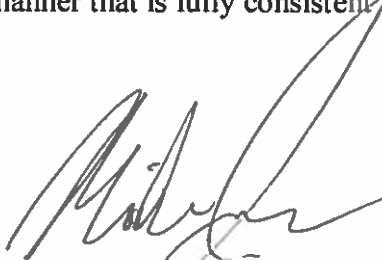
Consistency Analysis

Construction best management practices to reduce soil erosion and runoff (e.g., silt fences) and minimize pollution of stormwater (e.g., spill plans) would be adhered to and incorporated into final planning and construction.

NASA WFF is specifically excluded from Accomack County's CAPA overlay area and, therefore, would have no effect on CAPA land use, water use, or natural resources covered by this policy.

CONCLUSION

Based on the foregoing analysis, the Navy has determined that the proposed federal activity is reasonably likely to affect land uses, water uses, or natural resources of the Commonwealth of Virginia's coastal zone pursuant to the CZMA. However, the activity would be conducted in a manner that is fully consistent with the enforceable policies of the Virginia CZM Program.



MICHAEL H. JONES
Acting Environmental Program Manager
Navy Region Mid-Atlantic



Date